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Message Text

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ACTION EUR-12

INFO OCT-01 ISO-00 CIAE-00 PM-04 INR-07 L-03 ACDA-07
NSAE-00 PA-01 SS-15 PRS-01 SP-02 USIA-06 TRSE-00
OES-07 EPA-01 NSC-05 /072 W
----------038058 132016Z /73
R 131611Z JUL 77
FM USMISSION NATO
TO SECSTATE WASHDC 4823
SECDEF WASHDC
INFO USDOCOCENT BRUNSSUM NL
CINCUSAREUR HEIDELBERG GER
AMEMBASSY LONDON
CINCUSAFE RAMSTEIN AB GER
USNMR SHAPE BE
AMEMBASSY THE HAGUE
USCINCEUR VAIHINGEN GER

C O N F I D E N T I A L NATO 06774

E.O. 11652:GDS
TAGS: MARR NATO
SUBJECT: NETHERLANDS WATER POLLUTION TAXES - AD HOC COM-
MITTEE MEETING RESULTS.

REFS: (A) AGENDA AC/304-A/1. (B) NATO 5670, DTG
201352Z JUN 77. (C) PO/77/67, DATED 28 APRIL 77.
SUMMARY. MESSAGE REPORTS RESULTS OF AD HOC COUNCIL
COMMITTEE MEETING CONVENED TO BEGIN RESOLUTION OF THE ISSUE
OF NETHERLANDS IMPOSITION OF WATER POLLUTION LEVY. WITH
STRONG DISSENT FROM NETHERLANDS, THERE WAS GENERAL CONCEN-
SUS FOR CONFINING DELIBERATIONS TO WATER POLLUTION LEVY
IN THE NETHERLANDS AND TO RESISTING THE NETHERLANDS'
ATTEMPT TO ENLARGE THE TERMS OF REFERENCE TO INCLUDE THE
BROAD CONSIDERATION OF ALL FORMS OF ENVIRONMENTALLY
MOTIVATED TAXES AND THEIR EXEMPTION UNDER SOFA AND PARIS
PROTOCOL. END SUMMARY.
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1. AN AD HOC COUNCIL COMMITTEE MET 11 JULY 77, IN
ACCORDANCE WITH AGENDA (AC/304-A/1), REF A, TO CONSIDER
THE ISSUE OF THE NETHERLANDS AUTHORITIES IMPOSITION OF
A WATER POLLUTION LEVY UPON AFCENT HDQS AND NON-DUTCH
CIVILIAN/MILITARY PERSONNEL DOMICILED WITHIN NETHERLANDS.
ALL NATIONS WERE REPRESENTED WITH EXCEPTION OF ICELAND.

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2. THE AGENDA OBJECTIVES WERE: (1) ELECTION OF CHAIRMAN, (2) DETERMINATION OF AND AGREEMENT UPON TERMS OF REFERENCE AND, (3) AN EXCHANGE OF VIEWS AS TO HOW THE COMMITTEE SHOULD PROCEED TOWARDS RESOLUTION OF NATO'S TAX EXEMPTION STATUS IN RESPECT TO THE NETHERLANDS WATER POLLUTION LEVY.

3. THE COMMITTEE ELECTED THE NATO LEGAL ADVISOR (MR. LEJEUNE) AS ITS CHAIRMAN.

4. AS PREDICTED IN REF B, THE NETHERLANDS REPRESENTATIVE (SOETENS) PUSHED FOR ENLARGING TERMS OF REFERENCE TO INCLUDE CONSIDERATION OF CURRENT NATIONAL ENVIRONMENTAL CONCERNS AND LAWS ENACTED TO DEAL WITH THESE CONCERNS. HE COMMENTED THAT THE SOFA WAS, IN THIS SENSE, OUTDATED AND DID NOT REFLECT PRESENT DAY ATTITUDES TOWARDS THE POLLUTION OF THE ENVIRONMENT. HE PROPOSED THAT THE COMMITTEE CONSIDER ALL RECENTLY ENACTED AND PROPOSED ENVIRONMENTAL LAWS AND SUGGESTED THAT REAL PROPERTY TAXES BE CONSIDERED AS WELL.

5. THE US REPS (DENNEHY, STINE, VALENTA) ATTEMPTED TO CONFINE THE TERMS OF REFERENCE TO THE TASKS STATED IN THE COUNCIL'S PO/77/67 (REF C). THE GERMAN REP (MASSBERG) ARGUED EFFECTIVELY FOR CONFINING TERMS OF REFERENCE AND WAS, GENERALLY, ALIGNED WITH US REP'S POSITION. THE CONFIDENTIAL

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CANADIAN REP (LTCOL PARTNER) STATED AT OUTSET HE SUPPORTED US REP'S POSITION. UK (BICKFORD) STATED HE UNDERSTOOD COMMITTEE'S TASK WAS LIMITED BY REF C TO THE SINGLE ISSUE STATED THEREIN.

6. AFTER SOME THREE HOURS DISCUSSION, THE CANADIAN REP PROPOSED THAT THE COMMITTEE ACCEPT THE TERMS OF REFERENCE AS TASKED BY COUNCIL IN REF C. THE FRENCH REP (SURBIGUET) COULD ACCEPT REF C WITH THE RECOGNITION THAT EVENTUAL DISCUSSION OF TOR WAS NOT IRREVOCABLY DENIED THE COMMITTEE.

7. THE COMMITTEE WAS POLLED CONCERNING THE CANADIAN PROPOSAL AS AMENDED BY FRANCE. THE BELGIAN REP (COL VAN DEN BRANDEN) ACCEPTED SUBJECT TO RESERVATION (PENDING FURTHER ADVICE OF HIS AUTHORITIES). ALL OTHER NATIONS, EXCEPT UK AND NORWAY, ACCEPTED PROPOSAL. UK AND NORWAY ACCEPTED THE REF C APPROACH, LESS THE FRENCH AMENDMENT. NETHERLANDS COULD NOT ACCEPT PROPOSAL.

8. THE COMMITTEE AGREED TO MEET AGAIN ON 26 SEP 77. IN THE MEANTIME, THE CHAIRMAN WILL PREPARE "BACKGROUNDER" AND "FACT FINDING" DOCUMENTS, INCLUDING PRECEDENTS, TO

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ASSIST THE COMMITTEE IN FUTURE DELIBERATIONS.

9. COMMENT: THE NETHERLANDS REP APPEARS EFFECTIVELY ISOLATED IN HIS ATTEMPT TO EXPAND THE COMMITTEE'S TOR BEYOND THE WATER POLLUTION ISSUE IN AFCENT. WE WOULD NOT EXPECT, THEREFORE, TO FACE REQUIREMENT TO DEBATE THE MERITS OF THE SOFA, BUT ONLY WHETHER THE SOFA REQUIRES NATO TO PAY THE NETHERLANDS' POLLUTION LEVY. BENNETT

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Message Attributes

Automatic Decaptioning: X
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Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
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Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
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Enclosure: n/a
Executive Order: RR
Errors: N/A
Expiration:
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From: NATO
Handling Restrictions: n/a
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Original Handling Restrictions: n/a
Original Previous Classification: n/a
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Page Count: 3
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Previous Handling Restrictions: n/a
Reference: 77 NATO 5670, DTG, PO/77/67, DATED 28 APRIL 77., SUMMARY. MESSAGE REPORTS RESULTS OF, COMMITTEE MEETING CONVENED TO BEGIN
Retention: 0
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Review Content Flags:
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Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1870215
Secure: OPEN
Status: NATIVE
Subject: NETHERLANDS WATER POLLUTION TAXES - AD HOC COM- MITTEE MEETING RESULTS.
TAGS: MARR, NATO
To: SECSTATE WASHDC WASHDC MULTIPLE
Type: TE
vdkvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/fc3bd76b-c288-dd11-92da-001cc4696bcc
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